

Docket No. 64860/RSM/KJB

In re application of: Kathleen M. Moriarty

Serial No.: 09/844,849

Group No.: 2151

Filed: April 30, 2001

Examiner: Hassan Phillips

For: METHOD AND APPARATUS FOR INTERCEPTING PERFORMANCE
METRIC PACKETS FOR IMPROVED SECURITY AND INTRUSION
DETECTION

May 23, 2005

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

S I R:

Transmitted herewith is an amendment to the above-identified application.

_____ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has
been established.

_____ a verified statement to establish small entity status under 37 C.F.R. §1.9 and
§1.27 is enclosed.

_____ sheet(s) of _____ informal _____ formal drawings.

_____ No additional fee is required.

The filing fee is calculated as follows:

	NUMBER AFTER AMEND- MENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXTRA CLAIMS PRESENTED	RATE		FEE	
				SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	21	* 20	*** 1	\$ 25	\$ 50	\$ 25	\$
Indepen- dent Claims	5	** 5	*** 0	\$100	\$200	\$ 0	\$
Multiple Dependent Claims Presented _____ Yes _____ XXX No For First Time:				\$180	\$360	\$ 0	\$
TOTAL ADDITIONAL FEE						\$ 25	\$

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER
PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

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"The HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims as originally filed.

_____ Please charge Deposit Account No. _____ in the amount of \$_____.

XXX A check in the amount of \$ 25.00 is enclosed.


XXX The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Two copies of this sheet are enclosed.

XXX Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.

XXX Any patent application processing fees under 37 C.F.R. §1.17.

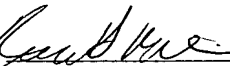
_____ Other: _____

Respectfully submitted,



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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to:
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23 May 2005
Date



Dkt. 1478/64860

IN THE UNITED STATES RECEIVING OFFICE

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Serial No. : 09/844,849 Examiner: Hassan Phillips
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**AMENDMENT IN RESPONSE TO FEBRUARY 23, 2005
FINAL OFFICE ACTION AND IN CONJUNCTION
WITH A REQUEST FOR CONTINUED EXAMINATION**

This Amendment and the concurrently filed Request For Continued Examination are submitted in response to the final Office Action dated February 23, 2005 and an April 12, 2005 telephone interview with the Examiner in connection with the above-identified application. A response to the final Office Action is due three months from February 23, 2005, that is, May 23, 2005. Therefore, this response is being timely filed.

Amendments to the Claims begin on page 2.

Remarks begin on page 11.